

CONSIDERATIONS
TO THE WAR

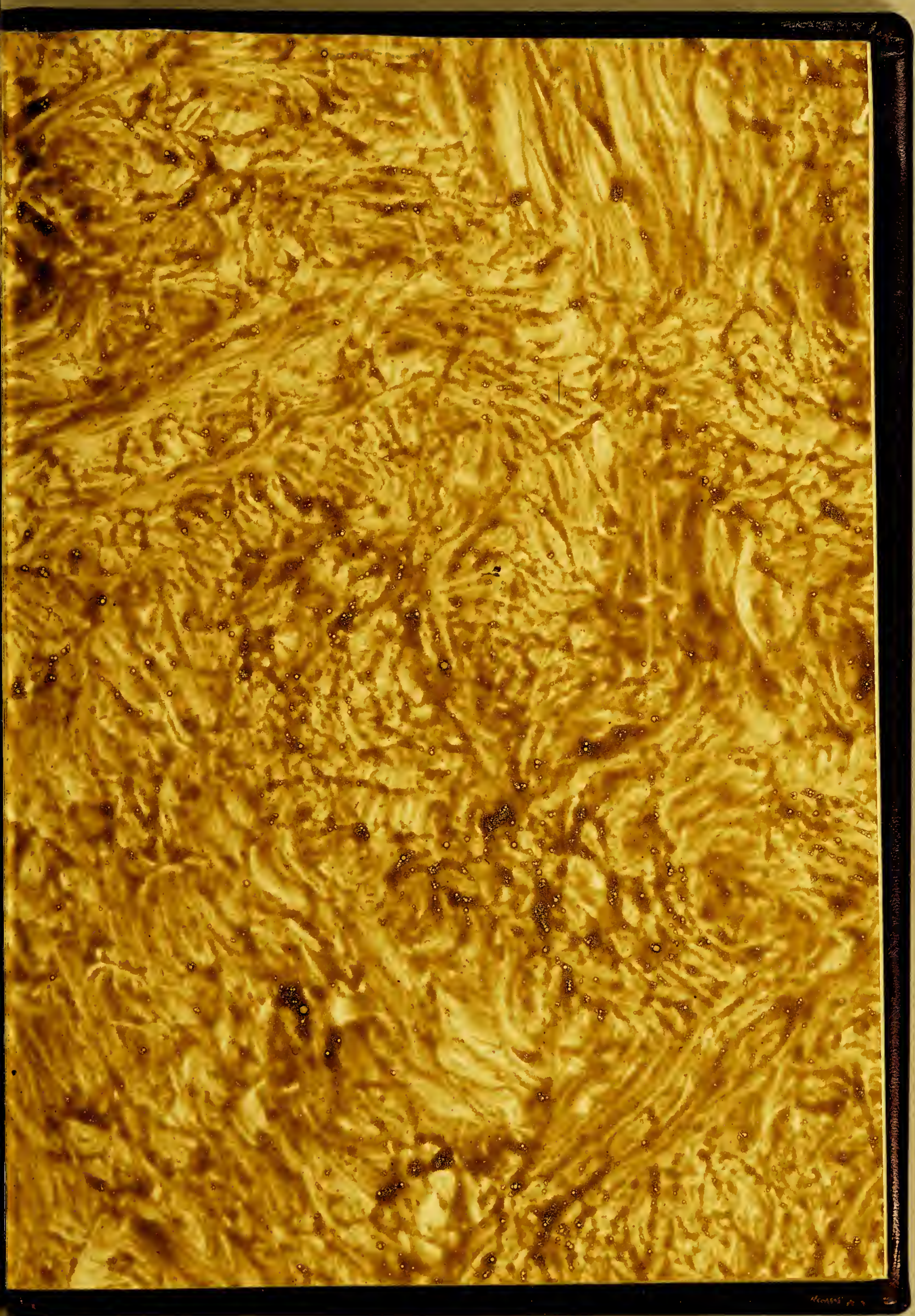
THE PEOPLE
OF BRAZIL
AND
OF LA PLATA

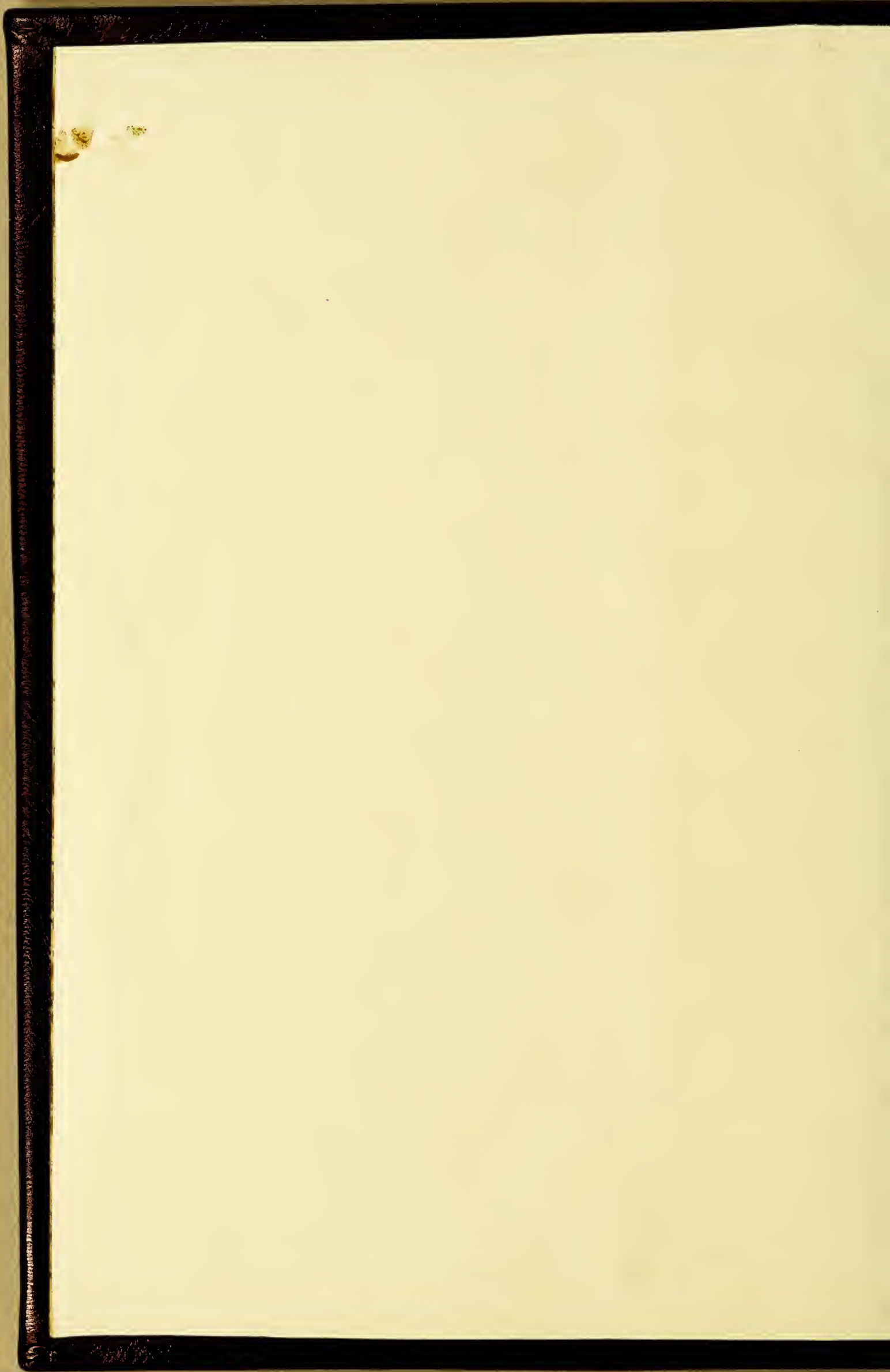
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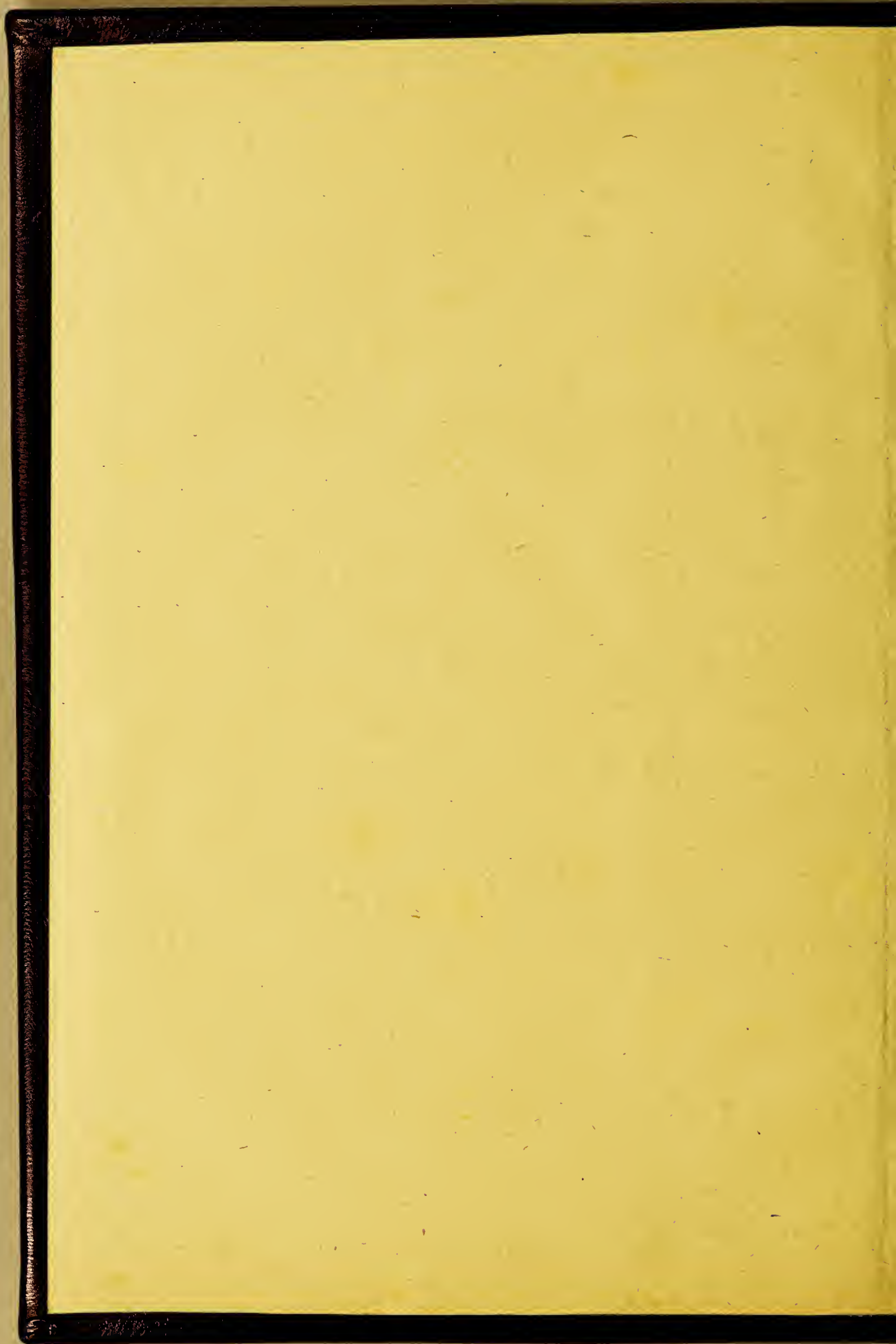


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CONSIDERATIONS

RELATIVE TO

The War

BETWEEN

THE PEOPLE OF BRAZIL

AND

THE PEOPLE OF LA PLATA.

BY AN OBSERVER,

WHO DESIRES THE PEACE AND WELL-BEING OF
BOTH PARTIES.

LONDON :

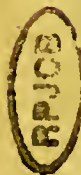
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MDCCCXXVI.

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CONSIDERATIONS,

&c. &c.

WHEN the adult sons of a household stand forth in the place of their nativity to declare their intention of taking up both the privileges, and the obligations, of mature age, the season is a season both of solicitude and hope as well to the friends of the family, as to the more interested parents. And when the appointed time has fully come, and the youthful bridegrooms lead out the partners of their choice to arrange their new economies upon the respective portions which paternal kindness has provided for them; the friends and neighbours join the happy parents in expressing the most earnest wishes for their welfare, and in begging from heaven a blessing upon their new engagements and undertakings. In after days also, the same good will of parents and of friends is seen to act: those who wished their young successors and neighbours "God speed" in the days of their espousals, still take thought for them, as the cares and difficulties of family management come upon them; and they are especially prompt to draw near to help them when at any time they perceive that rivalry, or cupidity, or any other unbrotherly disposition, is working to excite discord amongst them.

Somewhat according to this domestic picture were the desires and thoughts of many, when the new American families of Spanish and Portuguese lineage began to make arrangements for their respective local administrations. Those persons who wished well to these young societies, had not indeed all the reasons for satisfaction which commonly gladden the first days of youthful independence and establishment in private life; for they perceived that Spain and Portugal, which have with the new American families somewhat the relation of parents, took much amiss their purposes of managing their own affairs, and employed whatever means they could spare in order to frustrate their attempts to bring those purposes into effect. As, however, these persons saw that the Spanish and Portuguese Americans had fully made up their minds both to believe that they were entitled to act for themselves, and to make every possible attempt to establish this right by practice; and as they saw too that Spain and Portugal had nothing to offer to the Americans which could at all com-

pensate them were they to relinquish the plans of local organization to which they held themselves to be entitled, and which they viewed as essential to their happiness; so they were in a manner compelled to turn away their eyes from the parent states, and to look towards the various societies of their descendants for all the satisfaction which their intentions and efforts to raise themselves to the rank of national families were capable of furnishing. For many years, indeed, these persons experienced little else but disappointment, as they sought successively amongst the different families into which the Spanish and Portuguese Americans were distributing themselves, for some tokens that they were laying the foundations of their systems in justice, and building them in peace, and with thoughts and demonstrations of mutual concord and congratulation. Some portions of these families, actuated by a remnant of local European authority and influence, waged open war against the others, and succeeded but too often in their endeavours to enkindle in them the flame of civil discord; and even those which were enabled early to suppress that influence, were for a long time so agitated by internal feuds and rivalries, by contests for power or emolument, that they held out no promise of attaining to that state of quiet which their important purpose of acquiring a national form and consistency so indispensably required. Of the various aspirants for political independence in America, which have thus engaged the attention of their fellow creatures in other parts of the world, and for many years disappointed their hopes, no one answered less for a long season to the noble design which was common to them all, than the people of La Plata; the people now confederated under the title of the United Provinces of the river Plate, and sometimes called the Argentine Republic. This people changed the form of their government, and began to emerge from their state of colonial dependancy in 1810; and from that time till the year 1820, little else happened amongst them but what seemed to warrant the conclusion, that they were unable to attain the good which they sought. In 1820 especially, their state was such that any other conclusion would have been accounted the delusive expectation of an inconsiderate friendship: till then a somewhat of general rule had been preserved in the provinces not occupied by anti-independent partizans, or foreign invaders; but in that eventful year the whole frame of general government was broken in pieces; province warred against province, and city against city; the suppressed flame of civil discord burst forth every where, and the blood of the angry citizens which flowed on all sides appeared to operate for some time but as fuel to the flame. In October of this year, this dreadful popular malady reached its height: the body politic then underwent a violent convulsion; a season of repose followed; and subsequent events have given

reason for indulging the thought, that the disease was then expelled. At that critical juncture an administration was formed, whose efforts to bind up the wounds which the cruel hands of faction had inflicted, to assuage the pains which the body was still suffering, to invigorate the relaxed members, and to restore to the whole frame health and peace, have been signally blessed. From 1820 to 1824 measures adapted for restoring public confidence were employed: principles of practical utility were deposited in the public mind, and exhibited in the public conduct: and institutions calculated for awakening the dormant powers of profitable thought; for opening the natural and artificial sources of wealth; for encouraging industry; and for securing the blessings of general and individual liberty; were proposed and adopted. In that space of time the people of the United Provinces, and those of Buenos Ayres especially, regained so much of civil and social health and vigour, that those who saw them during that period, and the preceding periods of sickness and desolation say, that the autumn scene of man's wicked war and devastation, which kind Providence enriches afterwards and adorns with the coverlet of spring, does not more exhibit a transition from a state of ruthless outrage and ruin, to a state of cheerful and productive energy and restoration, than that people, with one case of exception, were then exhibiting. In 1824 the first change of public functionaries in this new and happy order of things was effected in Buenos Ayres, according to the constitutional regulations appertaining to it; and those who wished well to the Argentines had at length the pleasure of seeing them walk obedient to the voice of law, and began to indulge the hope, that the day of their severe trial was past, and that thenceforward they would go on to improve their own condition, and to become a means for improving the condition of their aboriginal neighbours, and of all others within the sphere of their influence. This cheerful prospect, however, has since been overclouded: during the period of confusion, indeed, the elements of mischief had gathered themselves together on the horizon towards the north; the warmth of the subsequent period of brightness had not had power to dissipate them; and now they have broken forth with violence to pour down wrong and misery on all the products and works of peace. The storm of war is now raging against the United Provinces from the neighbouring empire of Brazil: the Argentines are now suffering this worst of human calamities from the Brazilians their neighbours: the Government of La Plata is now directing the energies of the citizens, not in the projected peaceful, and useful, undertakings of building cities, constructing havens, opening canals, and turning their commerce into rivers hitherto unexplored; but in defending their possessions against fleets and armies sent to assault them by the Government of Brazil.

To tell of this unhappy war, and of the reasons and pretexts which belong to it, is one intent of this writing: its chief intent, indeed, is so to tell of those things, that what of right and fairness belongs to them on the one side, what of wrong and oppression appertains to them on the other, may here be again seen, be again heard, be again felt; that the British people who, for the sake of those ties of human kindred of which they commonly are sensible—for the sake of those ties of political alliance which they know how to respect—and for the sake of those ties of commerce to which they cannot be indifferent; that the British people, who by all these ties are bound to the parties in this unbrotherly contest, may have another opportunity for looking upon the ground of the quarrel, and for taking up anew motives of wisdom and kindness for going to mediate between them, and to try to set them at one again. In speaking of this contest, nothing will be done purposely to tell of any of its feats of arms; the many a woeful circumstance which adds it to the multiplied inglorious displays of the angry passions of mankind: the intent of this writing is to state and discuss the reasons and pretexts of the war, rather than to mark the course, and tell the events, of it. In this writing, therefore, the aim will be to bring forward, and weigh, the reasons and pretexts which belong to this war; and as the Brazilians are the party who may, *a priori*, be treated as the cause of it, because they occupy the Argentine province of Monte Video, otherwise called the Eastern Side, which is the bone of contention, so the tenour of the arguments will be, to state the reasons which the Brazilians offer, or might offer, for their present conduct, and to endeavour to show whether they are just or unjust: whether they are indeed reasons; whether they are just motives for right conduct, or pretexts to cover that which is wrong. The reasons, or pretexts, which may belong to the case of the Argentines will also be stated and examined: but as the Argentines are to be treated here as the party which has not made the occasion of this contest, which would now have been in peace had not a part of their territory been occupied by a neighbour, and who therefore could at least plead that their conduct is a consequence of the conduct of the other party, so the reasons, or pretexts which they offer, or might offer, will be stated and weighed as secondary and consequential. It is thought that all the reasons, or pretexts, which the Brazilians could offer for waging this war, might be found in prosecuting these three inquiries: whether they have any natural right to occupy the Eastern side of the Uruguay, and to annex it to their empire; whether they have any social right thus to seize themselves of this province; and whether they have any conventional right so to act. After this manner, then, will the remainder of this writing be penned; unless, indeed, the following general narra-

tive of what happened when the province was first occupied, and when it was afterwards declared to be annexed to the empire, be to be deemed an exception.

At the beginning of May 1810, all the provinces of the River Plate constituted one vast Spanish colonial territory, under the denomination of the Viceroyalty of the River Plate, of which Buenos Ayres was the capital. At the end of the same month the people of Buenos Ayres had deposed the Spanish authorities, and had formed a Junta, which they proposed to the inhabitants of all the other provinces, as the temporary Supreme Government which they were to acknowledge, until their respective deputies, and those of Buenos Ayres, should have established a more suitable general authority. To this proposal all the provinces acceded except Paraguay and the Eastern Side. Up to the date of the last accounts from the River Plate, the Paraguayans still kept aloof from the confederacy of their Argentine brethren: the Orientals, on the contrary, were still called to hear a stranger say, that they do not belong to it: be this as it may, with the Orientals, and their affairs, is our present purpose and business. Monte Video is the chief town of the Eastern Side; it is a fortress, and whilst it was part of a Spanish colony, it was the residence of a Governor and other official persons, who acted in subordination to the viceregal authority in Buenos Ayres. When the people of Buenos Ayres deposed the Viceroy, the Spanish officers in Monte Video had sufficient power to retain their command, and to hinder both the inhabitants of the town, and those of the province in general, from acceding to the proposal of the Junta. Before a year had passed, however, the Orientals of the country towns and villages had risen in arms under the command of two of their countrymen, Don Jose Rondeau and Don Jose Artigas, had declared for the Junta of Buenos Ayres, had defeated the greater part of the Spanish garrison of Monte Video at a place called Las Piedras, not far from the town, and had shut up the remainder within the walls. Soon after this exploit, however, dissention began to mar the work which the success achieved by it had helped to advance. The Junta of Buenos Ayres required to be acknowledged as the Supreme Government in the eastern province, as it had been acknowledged in the other provinces of the ancient viceroyalty: but Artigas, who had great influence with many of the victorious Orientals, persuaded them to account this pretension of the Junta an attempt to revive the ancient supremacy of viceregal Buenos Ayres, and to resist it, upon the plea that a system in which each province should have its own independent government, and all the provinces be generally ruled by a federal government, was best suited to the actual state of things. The breach which this opposition caused was not healed either by the severe censures, or the harsh retorts, which followed: in 1813 there was a civil

war in the Eastern Side; and in 1814, when the army of Buenos Ayres, under General Alvear, took Monte Video, they found that in Artigas and his rural cavalry, they had still a redoubtable enemy. In vain were proffers and threats, negociations and military enterprises, employed by turns: the Orientals would yield to nothing; and at length the Government of Buenos Ayres found itself compelled to leave both the fortress and the province to the self-willed domination of Artigas. During all this time the late King of Portugal exercised his royal authority at Rio Janeiro; and his ministers had more than once expressed an apprehension that the disorders which arose out of the civil war on the Eastern Side would endanger the tranquillity of Brazil. At length the Cabinet of Rio Janeiro thought fit to allege that they accounted the disturbed state of that province a sufficient reason for sending an armed force into it to restore its affairs to order; and accordingly they ordered a force consisting of several thousand Portuguese and Brazilian troops, under the command of General Lecor, since called the Baron de la Laguna, to march from Rio Grande, towards the fortress of Monte Video. This event happened in 1816, and it was attended as well by a declaration of the Portuguese General that his troops had entered the Eastern Side, only to hinder the evils of anarchy and misrule from passing into the Brazilian territory, as by an official note, written by the Portuguese Ministry to the Governor of Buenos Ayres, to make the same professions. At this juncture the Orientals showed no more disposition to yield to the Court of Rio Janeiro, than to the Government of Buenos Ayres. Inferior as they were in number, and military resources, to the Portuguese troops, they resisted them at every opportunity; and when they found that their present efforts were unavailing, they abandoned the fortress, and retired towards the Uruguay. When the Portuguese army approached Monte Video, they were met by the municipality, and a treaty was concluded between them and the Portuguese General, by which it was stipulated, that he should withdraw his army, and deliver up the fortress to them, as soon as tranquillity should be restored in the province, and the avowed cause for their entering it should then have ceased to exist. This capitulation was ratified by the King of Portugal in November, 1817. Against this violent occupation of a part of the Argentine territory, the Government of Buenos Ayres had already protested: the explanations, however, of the Portuguese Ministry, the proclamations of General Lecor, and the convention entered into by him and the Municipality of Monte Video, had been taken by that Government as so many reasons for acquiescing in an arrangement which the parties most nearly concerned in it had unitedly pronounced to be temporary.

Not so the mass of Orientals who had resisted the Portuguese

troops as they marched towards Monte Video: either they were convinced that it never had been necessary for the Portuguese troops to enter their territory, or they did not believe that they sincerely intended again to quit it: they refused, therefore, to become parties to the convention between the municipality of Monte Video and General Lecor; and till the year 1819, they continued to reject the Portuguese government, and to resist its authority. In this year the municipality of the town undertook to mediate between General Lecor and the people of the country; and at length they succeeded in persuading them to lay down their arms, and to submit to his authority, upon the terms of the convention, which stipulated that his army should quit the country as soon as tranquillity should have been restored in it. In 1820, the King of Portugal resolved to return to Lisbon; and before he quitted Rio de Janeiro he sent orders to General Lecor to enquire of the people of Monte Video, if they preferred to incorporate themselves with his subjects. In 1821 General Lecor formed a congress at Monte Video, which should deliberate upon this important question: That Assembly met according to the summons of the governor: they considered the King's proposal; and they declared, that the province of Monte Video spontaneously incorporated itself with the united kingdom of Portugal, Brazil, and Algarves, as a federated state. On this occasion it was that the Eastern Side received the name of the Cisplatine state, which the Brazilians still give it. In August 1822, the Brazilians declared themselves independent of Portugal, and formed themselves into an empire. At this juncture, the troops which occupied Monte Video divided themselves into two parties: one of them, consisting of Portuguese troops, declared for Portugal; the other, consisting of Brazilians, declared for Brazil. At the head of the Brazilian party was found the Portuguese Commander-in-chief, General Lecor. This officer, with his troops quitted the fortress, and took post without the walls; from thence he sent detachments into the different country towns, to obtain from their respective municipal officers written declarations, that they desired to attach themselves to the Brazilian empire. Various such declarations were obtained; and they were sent to Rio Janeiro as proofs that the Cisplatine state spontaneously incorporated itself with Brazil. The Portuguese troops which kept possession of Monte Video, fell under the command of General Don Alvaro da Costa de Souza de Macedo. Not long after, this officer made a treaty with General Lecor, by which it was stipulated, that the fortress should be given up to him and his Brazilian troops, and that the Portuguese troops should be conveyed to Lisbon at the expence of the Brazilian treasury. Before the conditions of this treaty were fully executed, and Monte Video delivered to General Lecor and the Brazilian troops, the inhabitants of Monte Video obtained a favour-

able moment for expressing both their sentiments concerning the past, and their desires, as well for the present, as for the future. Of this opportunity they promptly availed themselves. They chose representatives for the city and suburbs, who unanimously agreed to a declaration and protest, the particulars of which will be found in another part of this writing, by which they plainly and expressly denied the validity of any of the acts by which General Lecor, the congress held in Monte Video in 1821, or any others, had attempted to join the Eastern Side to Portugal or to Brazil; declared that they never had belonged, nor ever would consent to belong, to any other state or nation, but the state and nation of the United Provinces of the river Plate; and called upon the people and government of that state to hear their appeal, and take the first opportunity of vindicating their right to make one people with them. This declaration was voted by the assembly above-mentioned, in Oct. 1823.

In this year the government of the United Provinces sent an envoy to the court of Rio Janeiro, to negotiate a treaty by which the Eastern Side should be restored to the Argentine territory; and authorized him to meet the question of the expence incurred by the empire in this transaction, by agreeing to a pecuniary indemnity. In discussing the affair with the Brazilian ministry, the envoy supported the claim of the Argentine government, by these important considerations. He urged, that ever since the colonial system had been abolished, the Orientals when free from the coercion of the Spanish authorities, and from the restraints of local usurpation, had always declared themselves desirous to maintain a fraternal and federal union with the inhabitants of the other provinces, and that consequently, there was every reason for disbelieving the assertions of those persons who had assured the Brazilian government that the Orientals wished to be united to the empire, and for suspecting that their statements were the effect of their own interested motives: that the rupture of the amicable relations which had been wont to unite the Orientals with the people and government of Buenos Ayres and the other provinces, was an effect chiefly of individual ambition and insubordination, but that it never amounted to a national and territorial dismemberment; and that consequently the Brazilians could have no right to use that event as a reason for treating the Eastern Side as if it had already been a separate independent state, and as if, therefore, the people of the United Provinces had now no right to interfere in the question of whether it should, or should not, belong to the empire: that the case of the Eastern Side, as thus described, had been understood and acknowledged by the Court of Rio Janeiro, since in 1818, his Excellency Thomas Anthony Villanova, the Minister for Foreign Affairs, wrote to the supreme Director at Buenos Ayres, who had requested an explanation of the intentions of

the Portuguese Government in occupying the Eastern Side, and assured him, that the King had been pleased to declare that the occupation of the Eastern Side was purely provisional: that to act in a manner which substantially said first, that the insubordination of certain inhabitants of a province severed it from the state to which it belonged, and next, that a neighbouring state might avail itself of the civil broil to seize the province, and make it a prey, was to adopt a practice that might be as mischievous to Brazil, as it was obviously unjust: that the Congress of Monte Video of 1821 was as defective in constitutional authority, as it was notoriously faulty in construction; and that even if it had had power to pass an act for uniting the Eastern Side to the united kingdom of Portugal, Brazil, and Algarves, this union itself had never been consummated, because the conditions of that Act, insufficient and unauthorised as it was, had never been fulfilled by Portugal, and what portions of the bond had practically and expectantly been formed, had been dissolved by the subsequent dismemberment of the United Kingdom, when Brazil declared itself independent: that the partial acclamations, heard in the two towns of San José and Canelones, could have no authority for elevating themselves as the voice of all the Orientals; and that if there could be any need of argument for proving this, an argument of fact, quite sufficient for the purpose, existed in the silence of all the other like communities: that the common interests of the rising American States urgently required that they should abstain from all ambitious pretensions, and attempts of territorial aggrandizement: and that the Government of the United Provinces were so convinced of these truths, and so desirous to avoid the mischief and misfortunes of war, that they had put a negative upon all proposals for recovering the Eastern Side till the measure of negociation had been tried. These forcible representations were met by the Brazilian Government with declarations concerning the alleged wishes of the Orientals to belong to Brazil, and with expressions of a fixed resolve to keep possession of the province.

During the time in which these various disasters were taking place in the Eastern Side, very many of its inhabitants emigrated to other parts of the United Provinces. Some of them settled in Buenos Ayres, and there they waited with anxious expectation, that some favourable opportunity would at length offer for constituting in the place of their nativity a government suited to their desires. In April of last year, a small armed band of these emigrants passed from Buenos Ayres to the Eastern Side, and called their fellow-countrymen to arms. The call was promptly obeyed; the body of rural troops increased daily; they commenced a guerrilla war with the Brazilian troops, and took from them both men and weapons; and at length, after many such petty conflicts, they were able to muster a corps of 2000 horse, with which, in Octo-

ber they attacked an equal number of Brazilian cavalry, and entirely defeated them. Since this battle, the Orientals have had possession of the whole of their province, except Monte Video and Colonia. They have formed a provisional government; have declared the Eastern side to be a part of the United Provinces; and have sent a deputy to the general Congress of deputies, assembled at Buenos Ayres. The Congress, in turn, have received this deputy; have declared the Eastern Side to be incorporated with the United Provinces; have notified these measures to the Brazilian Government, and called on them to withdraw their troops from Monte Video and Colonia; and have ordered the troops of the United Provinces to cross the Uruguay, and aid the Orientals fully to recover the place of their nativity. The government of Brazil, however, refused to recede. They have pronounced the acts of the Orientals to be insurrectionary, and those of the general government of the United Provinces, to be a commencement of hostilities: they have sent reinforcements for the garrisons of Monte Video and Colonia; and they have declared all the ports of the United Provinces to be in a state of blockade, and have sent a naval armament to give effect to the declaration.

Such, then, was the state of things near the waters of the river Plate when the last accounts were sent from Buenos Ayres and Monte Video. And now, if the reader has made himself master of the facts which this brief general narrative has communicated, he will be prepared to accompany the writer whilst he states and weighs the reasons, or pretexts, which the Brazilians offer, or might offer, for waging the war which is now wasting their own strength and that of their neighbours, consuming the products of all their first years of independence, and anticipating, it is to be feared, the fruits of not a few years of regret.

CHAPTER II.

In this chapter the writer proposes to enquire whether the Brazilians have any natural right to occupy the eastern side of the Uruguay, and to attempt to annex it to their empire. In commencing this enquiry the first step shall be taken to satisfy those who may wish to know, why any such question as that for which an answer is here to be sought, has been proposed. When questions respecting territory arise in Europe, we seldom hear of making any reference to nature, or find that the negociators who are appointed to settle them are forward to call attention to the natural rights of their respective principals. It seems, however, as if a new rule might be adopted for what we sometimes call the New World; since some of those who have lived to discuss many ques-

tions of territorial acquisition and cession appertaining to Europe, without so much as thinking about nature, have acted with regard to this American question as if they had found in themselves some new region of political speculation; and in making out their estimate of what might be supposed to belong to the Brazilian side of the account, have set down for one very important item their opinion, that nature seems to have assigned the river Plate for the southern boundary of the empire. Besides, it is not to be denied that there may be a natural right in such cases as these: and since in this case such a right has been alleged, reason enough is there in this fact for seeking that right, and for determining to which of the parties interested it belongs.

To proceed, then, in the enquiry, we may observe, that a nation has a natural right to any territory which is a natural portion of its national habitation, and which is naturally necessary, in order that it may securely possess and enjoy the remainder. Many examples answering to the preceding definition of natural right might be adduced; but the following drawn from Great Britain and Brazil will suffice. The British have a natural right to the Isle of Wight, because it is a natural appendage to the mass of their national abode; and also because it is the lock of one of their principal havens; so that unless they themselves inhabited it, and thus had the key of it, they could have no secure possession or enjoyment of that haven. For like reasons it may be said, that the Brazilians have a natural right to the Island of Marajo, since it is the lock to the vast channels of commerce which appertain to the provinces of Para, Solimoens, and Guiana; and therefore unless they had the key of it, they could have but a precarious possession, and an uncertain use, of those channels. Again, it may be said that Great Britain has a natural right to the county of Kent; both, because it is an essential part of their national habitation, and because if any foreign power held it, and chose to act an unfriendly part towards them, they would find themselves restrained from the free use of the principal river of the Island, the access itself to their capital, and chief seat of power and commerce, might be stopped, and to say the least, they might be materially hindered from enjoying the general natural and artificial resources of their kingdom. Thus also it might be said, that the Brazilians have a natural right to the peninsular territory to which Cape Frio appertains; since it is evident, that if any foreign power possessed that territory, they must depend upon that power for the use of the harbour of Rio Janeiro, and consequently would not be in a situation to enjoy the capital of their empire, or even to say that they securely possessed it. Let us now apply these definitions, and examples, of natural right upon the ground of our enquiry, and ask, if according to them, the

Brazilians have any such right to occupy the Eastern Side, and to annex it to their empire.

Whoever will examine a chart of South America, such as that published by Mr. James Wyld of Charing Cross, in 1824, will see that the Eastern Side is neither a lock to any part of Brazil, as is the Island of Marajo to the waters of its three northern provinces, or the Isle of Wight to the chief haven of Hampshire; nor any essential part of the Brazilian territory, or in any way necessary to the Brazilians that they may securely possess their capital, or enjoy any principal channel of internal communication and external traffic, as the peninsula of Cape Frio is an essential part of Brazil, and necessary to the Brazilians, and as the county of Kent is an essential part of Great Britain and necessary to the British. The Eastern Side lies at the back of the southernmost part of Brazil; but it neither hinders its communication with the sea, nor with any one of its channels of internal commerce: for although the river Uruguay, which is the boundary between the Eastern Side and Entre Rios, rises in Brazil, the whole portion of that river which is navigable lies in those two provinces. Thus, then, it is evident, that as far as natural right has here been defined and exemplified, the Brazilians have no such right for occupying the Eastern Side, and for annexing it to the empire; and therefore it is just to propose what has here been adduced as no unimportant evidence, that when the Brazilians shall defend their conduct in this matter, and say, that they have a natural right for occupying the Eastern Side, and for annexing it to their empire, they offer not a reason for their conduct, but a pretext to cover their desire to possess that territory. True, indeed, it is, that the Eastern Side is a fertile territory, and abounds with flocks and herds, and that it is therefore a desirable possession: and it is equally true, that Brazil is a fertile territory, and abounds with sugar, coffee, and other desirable products; and that consequently the Brazilians have the means of paying for the flocks and herds, which they might desire to draw from the Orientals. Besides, if the presence of desirable fruits in any place, is held to give to those who do not live there a natural right to go and take them, none could have a better title of this kind than that which the Spaniards could find in the dark grapes of the Douro, and the lighter clusters of the Tagus. Indeed, if such titles were to be held good, they would presently be common enough; and we should all of us have to reproach ourselves for having dealt, as we did, with a man whose main fault in our eyes was, that, upon no better titles than those, he projected to make himself EMPEROR OF THE WEST.

As evidence has thus been adduced to show that what the Brazilians offer, or might offer, as a natural right for waging the war, by which they attempt to annex the Eastern Side to their

empire, has no such character; our next step should be to inquire whether the Argentines have any natural right to use all proper means for recovering that province, and for reannexing it to the territories of the confederacy. On this ground of enquiry, then, we must act as on the other; and apply now the definitions and examples of natural right as they were employed before.

The reader is now requested to examine again the Chart of South America. He will already have seen that the Eastern Side is as much an essential part of the territory of the Argentine confederacy as is either Entrerios or Corrientes. As his eye is now viewing the delineation of those provinces, and of the general territory of the republic, he will see that the Eastern Side is the lock to them all, and that of this lock the fortress of Monte Video may be said to be the key. The reader will see that the Eastern Side can either open, or close, the way to Entrerios and Corrientes, and that as it occupies one entire side of the great basin of the Plate into which lead the watery channels of the Parana, so it is a lock also which can open, or shut, them; as those channels are not merely the main rivers Parana and Paraguay, but also the Tercero, Bermejo, and Pilcomayo, and many other great streams which descend from the western provinces, and from Peru, so is it a lock which can open, or shut, these secondary channels also; and moreover, that as Buenos Ayres, the capital of the confederation, is situated upon the basin into which all these channels enter, upon this one great means of internal communication, this one great inlet and outlet for the foreign commerce, not of the capital only but of all the provinces; so the Eastern Side is a lock which can open or close the natural channels of ingress, and egress, by which the Argentines are to communicate with one another, and with foreign nations, and is moreover that one portion of their territory which in their actual national condition is necessary to them, in order that they may be warranted in saying, that their chief city is their own to possess and to enjoy. If, therefore, any people can make out a case of natural right, for an attempt to gain a firm hold upon a portion of disputed territory, the Argentines are that people: if any portion of territory can be said to furnish that right to any people, such is the Eastern Side; for it is to be maintained, that in the actual condition of the Argentine confederacy, there is no one portion of their territory more important, more essentially necessary to them, than that province. Here then is the point on which this special inquiry may be said to terminate; for on it has been collected evidence to show that the Argentines have a natural right for earnestly desiring to recover the Eastern Side, and to reannex it to the territory of the confederacy, as well as for using all proper means to accomplish this object; and that consequently when they should

thus speak in their own behalf, they would offer a suitable reason for such conduct.

We might now pass to the next ground of inquiry: but before we quit this, the reader is requested to attend to a few words, which are to be offered as an explanation of an expression employed above; viz., the actual condition of the Argentine confederacy. This expression is to be understood comparatively: in using it, the writer glanced at the Argentines and Brazilians, as neighbour states, and viewed them on the particular points of their maritime situations and resources. The Argentines are a people who may be said to have no maritime coast, no coast adapted for maritime expedition and commerce, except the coast of the Eastern Side, in which are situated the harbours of Monte Video and Maldonado. Ports there may be on the eastern coasts of the province of Buenos Ayres; but at present, they are known more by conjecture than use; and there are no dwellings near them. The Argentines, too, have very few vessels either for defence, or commerce; and at present their means for constructing such instruments are few and remote. The Brazilians, on the other hand, are a people of whom the reverse of all this may be predicated. In the immense line of their coast from Cape Wiapok to Rio Grande, are some of the most capacious harbours of the earth; and it may be thought that of their many secondary havens the worst is equal to either Monte Video or Maldonado. The Brazilians, besides, have many vessels, both for defence and commerce; and their means for constructing such instruments are to be found almost every where, and at hand, throughout their vast territory. To take, therefore, from the Argentines the coast of the Eastern Side, and to annex it to Brazil, would be little else than to place the people of La Plata in a position in which they must ever be tempted to contend, lest they should become tributaries to their Brazilian neighbours; and to adopt a measure which must necessarily tend to impede the growth, disturb the peace, and mar the comfort, of both nations. To commit this act of spoliation, would be, indeed, to perpetuate in the new world both the offences and woes of the old; and to recall to the minds of the Argentines especially those recent troublous days in which there was the thought, and the endeavour, to crumble into pieces the nations of Europe, and make them the materials of one great military empire.

Since, then, the inquiry on the first ground has accomplished its purpose; since by it we have found where the right of that ground is, and where the wrong: since we have discovered that the Brazilians have no natural right to occupy the Eastern Side, and to annex it to their empire, we may now proceed to the second ground of inquiry.

CHAPTER III.

IN this chapter the writer proposes to inquire whether the Brazilians have any social right to occupy the Eastern Side, and to attempt to annex it to their empire. The first step in this inquiry shall be to define, and exemplify, the social right here mentioned. A nation may be said to have a social right to desire to possess a province which once made a part of their territory, and is inhabited by a people who have the same origin, language, and institutions as themselves, and who wish to be reunited to them. To show further by suitable examples what is comprehended within this definition, an historical case drawn from the records of France and Great Britain, and a supposed case, which only good sense and good faith can keep out of the records of Columbia and Brazil, will suffice.

The records of France and Great Britain inform us, that at different parts of the first half of the fifteenth century, various provinces of France were occupied and governed by the British. During all that time the language and institutions of these provinces underwent no material change; and events proved that the inhabitants forgot not that their origin was French, nor ceased to desire to be reunited to the common stock of their race; for they concurred in bringing about a reunion; and when it had been effected they were not found to show any regret that they had not remained both nominally and actually British. It may be said, therefore, that the French nation in the period above mentioned had a social right to desire to repossess the provinces which had been taken from them, and to reunite them to their kingdom. A case of supposition analogous to this historical case might be described as follows. Let it be supposed that the evil desire of military enterprise and territorial acquisition should enter into the mind of some future President of Columbia, and fill his mouth with the pretence, that nature had pointed out the river Amazons as the proper southern boundary of the republic; and that, having lulled to sleep the good faith, and hoodwinked the good sense of the representatives, and obtained from them the necessary supplies, he should lead an army into Guiana, and set up the republican authority from St. Jose dos Marabytaunas to Cape North. Let it be supposed that such an event had taken place: is it not to be believed that every Brazilian who had not fallen under the Columbian dominion would desire that the invaded province should be recovered; would be fully persuaded that all the Brazilians who had fallen under that dominion entertained the same desire; and would be entirely convinced, not only, that he and every other Brazilian had a social right to use all proper measures for recovering that province, and for reannexing it to the empire, but that

they all were pledged to their captive brethren by every tie of common origin, common language, common institutions, and common interests to endeavour to liberate them? By this definition, then, of social right, and by these examples which exhibit it, let us try the question, whether the Brazilians have any such right to occupy the Eastern Side, and to annex it to their empire.

It has been said, that the Eastern Side once belonged to the Portuguese; and that their colonial government was as much established in that territory as the Spanish government was once established in Portugal; and that the town of Colonia, opposite to Buenos Ayres, was then as much under the captain general, or Viceroy, of Rio Janeiro, as Lisbon was at one time under the chief ruler in Madrid. That the Portuguese once had to do with the Eastern Side is certain, since the third article of the Spanish and Portuguese treaty of 1777, relative to American limits, stated first that one of the principal motives of disagreement between the two crowns had been the Portuguese settlement of Colonia, and other posts occupied by the Portuguese on the north side of the Plate; and then provided that every such settlement, or post, should be entirely ceded to the Spanish crown, so that the navigation as well of the Uruguay, as of the Plate, should appertain exclusively to Spain. Whatever footing, however, the Portuguese might at any time have obtained in the Eastern Side, not a vestige of their authority has existed there for a long time; and the traces of it, or any tokens of desire to see it re-established, are no more to be found amongst the Orientals, than traces of Spanish ascendancy, and tokens of desire for it, are to be heard in the expressions of the national sentiments, and the every day converse of the Portuguese: so that unless a title to Portugal made out of the fact of former occupancy, can give the Spaniards a right to occupy it again, a title to the Eastern Side, made out of the record that the Portuguese once had a footing there, can give the Brazilians no right whatever to seize and occupy it now. Indeed, those who know the Spanish and Portuguese nations have reason to suppose that wherever a Spaniard and Portuguese meet, two national rivals meet; and that neither of them ever entertains a thought of submitting willingly to the government of the other. Hence it follows, that in the degree in which the Orientals make an estimate of the Portuguese Americans, like that which the Spaniards make of their western neighbours, in this degree the Brazilians must expect to find in them not a desire to be connected with their empire, but the utmost determination never to be united to it.

It might be said, however, that as the Brazilians and Orientals are not what they formerly were, the rivalries and enmities which they nourished when they were Portuguese and Spanish colonists have ceased to affect them. That such a change will take place

every friend of mankind must hope: but he who should say that the change has taken place already, would speak like a man who had taken the workings of his imagination for data, and permitted his tongue to utter fancies for facts. The Spaniards and Portuguese in Europe have been guilty of much unbrotherly conduct towards each other; and the friends of both nations, who have heard their expressions of national contempt and antipathy, have sighed for the mistaken zeal which had misled each set of men to entertain so unbecoming an opinion of others as much to be esteemed as themselves. But if this has happened in Europe, more if possible of the same kind of bootless and unbecoming discourtesy has been experienced in America; and it is worthy of remark, that although the Spanish and Portuguese Americans have always been far enough removed from the original grounds of the parental rivalries, they cordially adopted them all, and never abated one iota of the pretensions and counterpretensions to which they perpetually gave rise. All history shows that where such rivalries exist they are stronger in no part than at the borders; and accordingly those who are acquainted with the Orientals and Brazilians know, that they have learned from their infancy to despise one another; and that sayings spoken from this frame of mind, and as unbecoming as unjust, have passed into proverbs. Let any person who has had an opportunity of knowing the inhabitants of the Eastern Side be consulted upon this point, and he will say, that even if no such calamity as the present war had happened, at least one whole generation must pass away before the prejudices and disparaging opinions reciprocally entertained by Orientals and Brazilians, and alike discreditable and hurtful to both classes, would have been in any good measure removed. Since the state of the public mind in the Eastern Side is such as has been described, where shall the Brazilians look for the social right which is to sanction their attempt to annex that province to their empire? Where are they to look for a right like that which operated to draw together the several parts of the French kingdom in the fifteenth century; or like that which might be expected to operate in reuniting the northern province of Brazil to the others, should it be violently severed from them? The Brazilians would look in vain for a ground of common origin on which the memory of the Orientals might place them, and contemplate them as national relatives: they cannot speak so as to show a community of language which might remind the Orientals that they and the Brazilians had once worshipped together, and used the same statutes and regulations: there are no common institutions which might recal to the Orientals scenes in which they and their neighbours had acquired like improvements, or enjoyed like pleasures: there is no fund of reciprocal acknowledgments and concessions from which the Orientals might draw reasons for requiting the

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Brazilians with feelings of attachment and thoughts of respect: there are no tokens of benefits conferred since the Brazilians became an independent American people which might endear them to the Orientals, and reflect the light and warmth of kindness and good-will upon the proposal to constitute one people. Where then shall the Brazilians look amongst the Orientals for that social right? where can they pretend to find it? Every where they cannot choose but see in them a people different, dissimilar, disinclined: and therefore it must be affirmed that they have not any such right for what they are now doing; and that consequently when the Brazilians shall say that they are attempting to annex the Eastern Side to the empire because they have a social right for so doing, they offer not another reason for their conduct, but another pretext by which they attempt again to cover their desire to obtain that territory.

Having thus prosecuted our inquiry in one direction as far as was necessary, let us now turn and employ a similar process of research in the other. In this direction we have to inquire whether the Argentines have any sufficient reason of the kind now under consideration; whether they have any social right to desire to recover the Eastern Side, and to reannex it to the general territory of the confederacy. We have seen that the social right, according to which the French acted when they recovered the provinces which had been wrested from them, consisted in the social facts common to themselves, and the inhabitants of the severed provinces: we have argued that the social right according to which the Brazilians would act, if the province of Guiana was to be occupied by an aggressor, would consist in like social facts common to them, and the inhabitants of the severed province: and these common social facts have been named in former union, common origin, common languages, common institutions, and mutual desire to be reunited. Let it now be asked of the Brazilians themselves if all these facts are not common to the Orientals, and the other Argentines; and they will be constrained to admit at least that four out of the five are to be found with them all. They will be constrained to admit that for half a century, and until the beginning of this unhappy contest, the Eastern Side has been an undisputed portion of the general territory of La Plata; and they know that the inhabitants of the Eastern Side, and those of the other Argentine provinces, account that whole territory as one common natal soil; and that they use the same language, and have the like usages, and common social institutions.

If there be any one of these facts, the existence of which the Brazilians would venture to dispute, it would be the fifth. But on what reasonable ground of feeling, or analogy, can the Brazilians pretend that there is no mutual desire in the Orientals, and

the other Argentines, to be reunited? On what ground of that character can they pretend that the Orientals prefer Brazilian strangers to their own Argentine relatives, friends, associates, and neighbours? That they are willing to give up men with whom they have been wont to speak, to act, to traffic, and to make alliance, and to join themselves to others, whose language they understand not, and with whom they have had no relations but the uncertain relations of external policy and commerce? Are the Brazilians themselves men of this fickle mind, and changeable moral complexion? Would the inhabitants of St. Paul, for example, volunteer to give up forthwith all their ancient relations, connections, and usages, and to incorporate themselves with the inhabitants of Paraguay? Every one knows the answer which such a proposal would receive from the inhabitants of St. Paul: let the Brazilians, therefore, have the candour to believe and to acknowledge, that the Orientals and Argentines are not less influenced by the common ties of men, than themselves; and then they will find it no difficulty to confess, that the inhabitants of the North Bank, and the inhabitants of the South Bank of the Plate, those of the Eastern side of the Uruguay and those of the Western, cannot but desire to be united as closely by the general social ties of one equitable and well adapted federal system, as they are united by natural and national affinity, and by common language, and were united by public and private association and intercourse.

True it is, that there have been rivalries between the people of Buenos Ayres and those of Monte Video. There have been rivalries also between the inhabitants of Rio Janeiro and those of Bahia: has any one heard, that the inhabitants of either city have invited the Dutch to come again, and make a lodgment in Brazil? The rivalries between the Orientals and the Buenosayrians were brought to that height at which they alarmed the Government of Rio Janeiro, and gave occasion for that measure of prevention which has given place to a measure of acquisition, by a difference of desire and opinion respecting the form and mode of a General Government for all the Argentines. The Orientals (some of them at least) held that a Federal Government, such as now exists, was best adapted to the wants of the provinces: the Buenosayrians contended, that however such a Government might be adapted to their wants, it was not adapted to their state. This difference of opinion cannot now exist, because it has been covered and absorbed by that very Government for which it arose, and in whose place it stood; and now, therefore, there can be no more rivalry between these two classes of Argentines, than there is between two brothers who, having disputed for some time about two proposed means for a common end, had at length agreed to use one and the same. From all, therefore, which we have found upon this part of the present ground of enquiry, we may conclude, that the

Argentines can fully make out a social right to desire to recover the Eastern Side, and to re-annex it to their territory; and consequently, that when they should allege such a right for one of the reasons of their conduct in endeavouring to attain that end, they might justly claim to have spoken according to equity and fact.

If the reader is satisfied with what has been done up to this point, and is willing to proceed, it is now time to advance to the third ground of enquiry.

CHAPTER IV.

IN this chapter the Writer proposes to inquire, whether the Brazilians have any conventional right to occupy the Eastern Side, and to annex it to their empire. He presumes, indeed, that if at this point a Brazilian Advocate were to take up the clue of investigation, and to offer to conduct the search, before he took a single step he would remark, that even if it were admitted that the Brazilians had neither natural, nor social, right to occupy the Eastern Side, they had a conventional right for so doing; and that many cases might be cited which would serve to shew, that if they can make out a right of this kind, they have a title to the province which all are bound to respect. Such an Advocate might say, for example, that the British have no natural right whatever to possess the Rock of Gibraltar; and that, for some time, they had no social right to possess the Cape of Good Hope: and yet that they have a conventional right to possess the one place as well as the other, and that as long as the existing treaties shall be respected, or be kept from being violated, they will, by virtue of that right, hold them both.

The advocate for Brazil might here be told, that the Writer of these lines would not attempt to gainsay any part of his remark; and that if he will allow him to resume the clue of investigation, he may depend upon his diligently endeavouring to find whatever there may be on this ground of enquiry, which has the nature of such a conventional right as that to which his examples point, and to exhibit it to the view of all the parties interested; since there can be no doubt that if the Writer intends honestly in what he is now doing, and the Brazilians have acquired any such conventional title for the Eastern Side as that which the British can show for the Rock of Gibraltar, and the Cape of Good Hope, he is bound to do his best to discover it, and to set it where it may be seen by all.

The conventional titles that constitute the right by which the British possess the Rock of Gibraltar and the Cape of Good Hope, consist of treaties made by them with parties fully authorized to make them: those treaties were made with due attention to all

the facts and circumstances required to render them valid; and as proof that they were so made, it may said that the parties, who would have a right to speak against them if they were defective, in no wise attempt to impeach their validity. What we seek then for the Brazilians, is a treaty, a convention, a contract of any kind, which has the nature of the treaties just mentioned, and which gives them a conventional right to possess the Eastern Side. As it has been intimated that questions concerning this territory have been agitated before our days, it may be well to look again into the records of the past, and to inquire in them whether any treaties were formerly made which can now give to the Brazilians the conventional right here described.

When La Plata and Brazil were Spanish and Portuguese colonies, the Spanish and Portuguese monarchs entered into various treaties for settling the boundaries of their American territories. The last of these was the treaty of 1777, already mentioned; and by it the Portuguese monarch gave up to the Spanish monarch all claims whatever, that the crown of Portugal had at any time made to any part of the Eastern Side, and both monarchs agreed, that the boundaries between their states in that quarter were, and were to be, according to the territorial divisions indicated, as the Writer believes, with general accuracy in the chart already mentioned. If, therefore, the treaties made when the Portuguese and Spanish monarchs had acknowledged authority to make stipulations respecting these dominions in America, and to settle their limits, are the sources from which the Brazilians are to draw a conventional right to possess the Eastern Side, the treaty above mentioned alone suffices to show, that not only they have no such right, but that in pretending to have it, they deny the engagement which a competent authority made for them.

But if other times did not produce a treaty which gives to the Brazilians a title to the Eastern Side, our own days have furnished instruments which some of those who helped to make them account quite sufficient for the purpose. These instruments are, *The Acts of Incorporation*, passed by the Congress which assembled in Monte Video in 1821, and *The Declarations of Attachment to Brazil*, signed in the country towns of the Eastern Side in 1823. What these instruments affirm, or how they affirm it, are points which do not belong to our present inquiry: what we have to seek is the validity of the instruments themselves, since on this depends the validity of the title said to be derived from them; and as the validity of each of the instruments depends upon the character of the power or authority which formed it, every such character is an object for which we are now to inquire. Let us then direct our attention towards that which was first in the order of time; and look for the character of the power or authority which formed *The Acts of Incorporation*; that is to

say, the character of the Congress which assembled in Monte Video in 1821.

In referring to the treaties by which the British hold certain possessions, it was said that they were made with parties fully authorized to make them, and with due attention to all the facts and circumstances required to render them valid; and as proof that they were so made, it was affirmed that the parties who would have a right to speak against them if they were defective, in no wise attempt to impeach their validity. It will be of use to keep these criteria in view as we prosecute our present inquiry.

The object which we are at present to seek is the character of the Congress which assembled in Monte Video in 1821: in other words, we have to inquire if that Congress was, or was not, duly authorized to meet for the purpose for which it did meet, and to perform the act which it did perform. We may ask, then, concerning this Congress, Was it a colonial assembly? Or was it a national assembly? Or was it a subordinate provincial assembly? That is to say, was it an open Cabildo, or any other like assembly, convened according to the old colonial laws, and having the powers and authorities with which such assemblies were invested? Or was it an assembly which the Orientals formed to represent them, as a people who had assumed the powers and privileges of an independent nation? Or was it an assembly of persons who met by command of the Portuguese General, and acted according to his directions? If the assembly was an open Cabildo, or any similar congregation of householders, convened according to the colonial laws and usages, it could have no authority to pass an act which was to incorporate the whole province with the Brazilian Empire; since every such act must obviously be in the very teeth of those laws, and foreign to those usages. The utmost that such an assembly convened, not for colonial purposes, but for entirely new and unexpected purposes, could have authority to do, would be to propose such an act, as apparently suited to a present exigency, and to invite their countrymen in general to consider it, and to determine respecting it. If, then, the Congress of Monte Video was in any wise a colonial assembly, the Act of Incorporation passed by it has no force whatever to bind the other Orientals; nor has it any validity, as an instrument that is to give to the Brazilians a right to occupy the Eastern Side.

If the Congress of Monte Video was an assembly of persons who met by command of the Portuguese General, and acted according to his directions, then it was the organ of the Portuguese controlling Government, and spoke, not the will of the Orientals, but the will of that Government; and if so, the Act of Incorporation would well deserve to be called the last of the tragic doings by which the province had been conquered. More

need not be said, to tell how little of honest attention and respect an instrument formed by such an assembly would be worth.

But a zealous Brazilian, who wishes that all the public acts with which he is in any wise connected should be worth the honest attention and respect of all mankind: such a Brazilian might express his belief that the Congress of Monte Video was neither such a colonial assembly, nor such a subordinate provincial assembly, as has just been described: but that it was a body formed to represent the Orientals as a free and independent people. The answer to every such well-intentioned apologist for the proceedings of his countrymen in Monte Video is this: If that assembly had this proper and dignified character, where are the proofs of it? The Congress of Monte Video could be no such national assembly, unless the Orientals at large, the free inhabitants of all places of the Eastern Side, concurred, and concurred nationally, to form it. At the time at which that Congress met, the province was, internally tranquil, and externally unmolested: its state was such as to give opportunity for forming the Congress in the most comprehensive, equitable, and solemn manner. Nothing appertaining to the mere state of the province forbad that the intention to hold it, and the matter to be considered by it, should have been published long before the time fixed for the meeting; that meanwhile the people of the country should have been invited to send their deputies, and that prudent plans for securing the freedom and impartiality of the elections should have been proposed to them; and that the chief authority of Monte Video should have exhorted them to weigh well all the consequences of separating themselves from their Argentine brethren, lest the act of uniting themselves to the Empire should be to them a cause of remorse, and to the Empire a cause of disappointment and trouble.

Now if we again ask for the proofs that the Congress of Monte Video was thus duly constituted, and empowered to conclude a treaty of union with the Brazilians, the answer must be, that the accounts of those proceedings which have been published in Great Britain, and elsewhere, exhibit evidence of quite a contrary character; as they declare both that it was constituted under foreign influence, and acted under foreign restraint; and also that the parties who had a right to speak against its acts if they were defective, have publicly and unequivocally declared them to be unauthorized and invalid. Of these facts something has been said already: a fuller account of them will be found in the following extracts from a work published in this country, by Mr. Ackerman in the Strand, from the pen of a person officially connected with the Argentine Government.

In giving an account of the structure of the Congress of Monte Video, and of the circumstances which attended its deliberations,

that person employed words of which these are a translation. "In 1821 the Portuguese General formed in Monte Video a Congress composed chiefly of civil officers receiving salaries from his Most Faithful Majesty, of persons decorated by him with distinctions of honour, and of others placed beforehand in the municipalities: he mustered the troops at their quarters, and gave them ammunition as in a time of war; and under this safe keeping, the Congress declared, that the province of Monte Video spontaneously incorporated itself with the United Kingdom of Portugal, Brazil, and Algarves, as a federal state." In consequence of this measure, the Eastern Side received the name of the Cisplatine State.

Of the other fact, the same writer has given the following account: "When the Brazilians declared themselves independent, General Lecor and the Brazilian troops were constrained to separate themselves from the Portuguese part of the garrison of Monte Video, and to retire from the fortress. The Portuguese troops were afterwards conveyed to Lisbon: a little before they embarked there was a sort of interregnum in Monte Video, of which the inhabitants availed themselves to elect representatives for the city and suburbs, who formed a provisional assembly, which unanimously adopted these resolutions.

" '1st, That it declares null, arbitrary, and criminal, the Act of Incorporation with the Portuguese Monarchy, sanctioned by the Congress of 1821, composed chiefly of civil officers receiving salaries from his Most Faithful Majesty, of persons decorated by him with distinctions of honour, and of others placed beforehand in the municipalities, for the security of that result.

" '2dly, That it declares null, and of no value, the Acts of Incorporation of the country population with the Empire of Brazil, on account of the arbitrariness with which they have been drawn up by the Baron de la Laguna himself, and his advisers, sending them to be signed through the medium of strong detachments of troops, who led men by force to the town-halls, and either feigning or forging signatures of persons who do not exist, or of persons who knew nothing of the transaction, as they were absent from their houses.

" '3dly, That it declares that this eastern province of Uruguay neither belongs, nor ought, nor chooses, to belong to any other power, state, or nation, than that which is composed by the provinces of the ancient Union of the River Plate, having had its deputies in the Sovereign General Constituent Assembly since the year 1814, in which it entirely withdrew itself from the European Spanish dominion.' "

With these accounts before us, we might come at once to a conclusion on this part of our inquiry; but before we do so, it will be worth while to notice certain facts which belong to these

transactions. The Congress of Monte Video, which passed an Act to Incorporate the Eastern Side with Brazil, met whilst the town was garrisoned by Portuguese and Brazilian troops, united under the command of the Baron de la Laguna, then a Portuguese General: the Assembly which pronounced that Act arbitrary, criminal, and null, met whilst the same officer, then a Brazilian General, was, together with the Brazilian troops, at a distance from the town, and whilst it was held by the Portuguese troops alone, who were on the point of embarking for Europe, and, consequently, were not at all interested in preventing the inhabitants from expressing freely their wishes concerning the relations which the former Congress had attempted to establish between them and the Brazilians. To this we should add the fact, that when the Baron and the Brazilian troops had been expelled from the fortress, and whilst they were quartered in the country, *the Declarations of Attachment to Brazil were executed.*

From all these facts, then, we may now be allowed to conclude that since the very constitution of the Congress of Monte Video makes it liable to the strongest suspicion that it was formed to express, not the will of the Orientals, but the will of the Brazilian military authorities which then ruled the town; since the circumstances of military preparation which surrounded it, are a strong indication that the inhabitants at large were believed to be unwilling to allow it to pass the Act for which it had been convened; since the subsequent resolutions of the Assembly of 1823 are a powerful evidence that the Congress had neither been constituted by the inhabitants at large, nor expressed their wishes; and since the facts themselves show that the alleged expression of acquiescence with the proposals to be incorporated with Brazil took place where, and when, the Brazilian troops were present, and acting to obtain them: since all these facts concur to show that the Orientals, who are said to have been parties to *the Acts of Incorporation, and the Declarations of Attachment to Brazil*, had no competent authority for making such instruments, and still less for giving away their countrymen to the rule of a foreign nation; and since they concur to show, moreover, that whenever, and wherever, the Orientals could freely declare their wishes, they did not merely declare that they had no desire, no wish, to be incorporated with the Brazilians, but also that their desire and wish ever had been, to form one people with the people of the United Provinces: since all these facts, then, have this double tendency and force, we may justly draw from them this double conclusion; that the Brazilians have no conventional right whatever for occupying the Eastern Side, and for attempting to annex it to their Empire; and that the Argentines, on the contrary, have every conventional right which ancient treaties, or the recent public declarations of the Orientals can give, for desiring to

recover that province, and to reannex it to the general territory of the confederacy, and for using all proper measures for attaining this end.

The writer would here take his leave of this subject, and spare the reader all further labour, but that he wishes him to notice a few not unimportant topics which are to be found in the next chapter.

CHAPTER V.

IN this chapter the writer intends to direct the attention of the reader to certain arguments which have been proposed at different times, and by different persons, in considering the question which is here the subject of inquiry, as well as to a few points which have been already noticed.

It has been said that Artigas made himself master of the Eastern Side, and set up his authority there; that the General Government of the Argentines were unable to recover the province out of his hands, and were obliged to relinquish it to his rule; that the Brazilians wrested the province from under his grasp, and that whilst their success in the enterprize has given them a right to retain the province which they thus won, the General Government of the Argentines, in showing themselves to be unable to retain it, have forfeited all the claim to it which they once had. The reply to this argument is, that from the facts mentioned by it, the Brazilians can make out no other title to the Eastern Side but such a one as can be given by lawless violence, or domestic distress. Some of them have called Artigas a marauder, and a mover of sedition; and have affirmed that misrule and disorder so prevailed throughout the province whilst he exercised his authority there; that it had become necessary for the Brazilians to send an armed force into it, as well to put down these evils, as to hinder them from passing into their own territory. But if Artigas was a mover of sedition, and a marauder, he could have no more right to rule in the Eastern Side, than in Puerto Alegre, or any place whatever which he might have attempted to seize; and therefore if the Brazilians intend to make any part of their alleged right to the eastern province to consist in the fact that they are the successors of Artigas, they must be content to hear themselves charged with perpetuating the offences which Artigas committed. No doubt is there that domestic distress prevailed in the Eastern Side when the troops from Brazil entered it; and had the rulers of these troops employed them for the simple purpose of restoring order, and placing the inhabitants in a state of security, they would well have deserved the com-

commendation due to benefactors, and the gratitude and thanks due to kind neighbours ; and in this case the pecuniary indemnization offered by the Argentine Government in 1823 would have been fitly applied. But now that having come into the province whilst the inhabitants were oppressed, divided, and feeble, and having employed their force both to perpetuate their authority there and to obtain local acts and partial declarations, by which to bid the inhabitants at large confess that the authority so set up amongst them is the authority of their choice ; not only has all appearance of good will in entering the province been clean done away, but that act now wears all the aspect of having been only the first overt part of a design of usurpation for which the domestic distress furnished both pretext and opportunity. To talk of attachment arising out of such transactions as these, is much the same as to talk of revering the memory of Artigas ; and of delighting in the selfish and severe qualities of which he was an example.

In spite of all these facts, much has been said about the acclamations with which the country people greeted the Baron when he proposed to them to become one people with the Brazilians. Some years ago men's hearts in Europe were sickened by almost periodical announcements that one and another of the great cities and towns of the Continent, such as Hamburgh and Geneva, had vied with each other in soliciting the honour of being attached to a certain empire. We who have outlived the years 1814 and 1815, have found that what we had suspected about those statements of vying and soliciting was altogether fact ; and therefore we have become difficult in believing announcements which have any like circumstances with them. The country-people who were said to make those acclamations in 1823, were the same people from amongst whom, in 1825, came forth the greater part of the 2000 men who met the Brazilian cavalry on the fields of Sarandi, with any other words and gestures than such as accord with *declarations of attachment* ; and the Monte Videans, who at the former period made no acclamations, were also the same people from amongst whom, at the latter, the Baron sent several prisoners to Rio Janeiro. Certain is it therefore, that either the country people, who were said to make those acclamations, were then as much dissatisfied with the Brazilian Government, as the Monte Videans, who did not make them, manifested themselves to be, or they have since then come to be of one mind ; and whichever of these suppositions has fact for its basis, there is as much propriety in speaking of their attachment to the Brazilians, as there was many years ago in saying, that the Hamburghers and Genevese were attached to the Government which had sent its armed legions to take forcible possession of their cities.

Another word to those who talk of appealing to nature. These professedly simple, and unartificial diplomatists may mean well

by what they say, but they have made themselves liable to be called to account for having pretended to set up in America a rule which they would not venture to use in Europe. They know that in Europe it is now an understood thing, that when any pretender to territory talks of having discovered that nature has given him a title to such, or such, a boundary line, he does but talk of the ambition of his own nature, which by that pretext he intends to hide. These mistaken advocates appear to have overlooked the facts, that the Brazilians in coming down to the waters of the Plate have broken through their own acknowledged boundary; and that in snatching at the shadowy nominal natural title which they have seen there, they have let go the substantial title of well defined treaties. It seems too, that the Brazilian invaders themselves have been so entirely occupied with the silvery waters to which they have descended, as not to have given a thought to the breach in their own social fence which their eruption has caused, nor to have perceived that there is just as wide, and practicable, a way through it towards the North, as towards the South. It would be better if some of the interpreters for nature would counsel and help them to return and make up that gap; since as long as they keep it open, there will be no thought of trespass to keep others from going in there.

If the *Naboth's Vineyard*, which has given rise to this deadly contention, were at all necessary to the party which so eagerly covets it, there would be reason for pleading with the party to which it belongs, for some portion of it at least for the needy neighbour. If Brazil were such as is Great Britain in extent and population, there would be some reason for asking the people of the Eastern Side to allow a portion of the redundant population of a Yorkshire, or a Lancashire, to come and share its amplitude and fertility; but since Brazil and Great Britain are to each other in such proportion, that whilst Brazil has twenty provinces, the smallest of which is larger than Yorkshire, and the largest considerably larger than Great Britain itself, the population of the two above mentioned British counties is little, if at all, less than the whole known population of the Brazilian empire, so to ask for the Eastern Side that the Brazilians might go, and help to people it and manage its affairs, is just as reasonable as it would be, to add wings to a house already too large for the family, and then to call away the servants to watch the fastenings of the outer apartments.

Again, it may be said, that if the disputed object were some small spot at the extremity of the Brazilian empire, more important for its position than for itself; some *Calais* situated on the very edge of the coast which the claimants do not need, and which they might be thought to ask chiefly as a means for inroad and annoyance, a reason would there be to wish that the Argentinians could be persuaded to let the Brazilians enjoy it in peace.

But that object, small as it may be thought by any man who having much wishes to have much more, may be said to be no less a matter than the space for four kingdoms: and little as the calls of those who have a just title to that object have hitherto been heeded, their claims may be affirmed to be as well worthy of regard, as the claims of a bird to its nest, or of a man to his home. The Eastern Side itself is as large as that part of Great Britain called England, and has been as well furnished by Providence to be the residence of a numerous family. As has been shewn already, this territory is the lock which can open, or close, the way to Entre Rios and Corrientes; and no less so, it may be added, to the province of Paraguay. Each of these four provinces would be accounted in Europe a princely patrimony; and each, were it peopled as its natural resources give reason to expect it will be, would be the habitation of a family that might possess within itself as much of the means for internal and external comfort and respectability, as Prussia, Holland, Bavaria or Wirtemberg is now held to possess. Where then is to be found even a decent pretext for requiring the inhabitants of the Eastern Side, and with them the inhabitants of Entrerios, Corrientes, and Paraguay, to relinquish their inherited rights of free national persons; to give up to strangers their inherited possessions; to account themselves unable to provide for their wants, and to manage their own affairs; and to call aloud upon the Brazilians, scattered hither and thither almost out of each others hearing and view, to gather together a few of those whom they can best spare, and send them down to be rulers in the four provinces, and direct the application of the revenues which the inhabitants themselves must raise, and command measures for securing the posts which the inhabitants themselves must defend. To aid and abet any plan for pushing the Orientals thus from the heads of their own public tables, that men who can show no title either of paternal bequest, or seigneurial delegation, may take their places; to help in any way to dispossess these Argentine shepherds, herdsmen, and husbandmen of their flocks, their droves, and their fields, that men, who make it their boast, that from the hidden treasures most sought by the lovers of pageant to the open products most desired by the lovers of pleasure, they have all which pomp requires, and luxury craves; that these men may go and slay, and eat, not as merchants who buy, but as masters who possess; to give any such abetment, or help, is an act not of simple misconduct, but of complicated wrong; is an act of such nature, too, and of those general evil tendencies and influence, that it asks the reprehensive notice of every man, whatever may be his nation, tongue or language, who hears of it, and will receive such notice, moreover, from every man who can sympathetically say, as some of old

said in these, and like words: *Homo sum; et nihil humani a me alienum puto*.* But if to aid, and abet, such an act would be wrong, little less wrong would there be in neglecting to raise the voice against it where there is the ability which gives the place and quality of a witness, and opportunity for employing it. The writer may be thought to have the ability, which gives the place and quality of a witness; for he has seen many of the facts of which he has thus written, and he knows the others through the testimonies of trustworthy men, who have themselves seen many of them, and have gathered their accounts of the rest in the ordinary way of credible narration. And certainly the writer has the opportunity of using that ability; for he is in that country, where, for the common help and weal of mankind, it is possible to raise the voice of complaint against any men who employ the public power, committed to them for the local service, to hurt the citizens of other countries, and to despoil them of their goods; where it is possible to call such men to the bar of national examination and judgment, and thus to give them cause for turning upon themselves, and inquiring, whether their conduct can be expected to obtain for them the approbation of their fellow creatures, or whether it has not already procured for them their censure.

The Writer has now nearly done as much of the work of giving such testimony as he proposed to perform; and in having done it, he may claim to have as much intended to serve the party against whose conduct he has spoken, as he has intended to serve the party whose claim he has advocated: since both parties have obviously like reasons for wishing that this erosive and debilitating feud was at an end, and that their nascent resources could all be employed to multiply the means of subsistence, and give strength to the employers; and, certainly, both parties might at once begin to enjoy these advantages, if the Brazilian people would act upon the line of conduct here recommended to them. Some individuals of this people, indeed, in reviewing the various statements and arguments which have been used to show that their nation has no one reason, no one just motive, for attempting to annex the Eastern Side to their empire, may be tempted to think that the Writer has acted partially, because he has not noticed any of the charges which are brought against the Argentines for

* Of Human Kind myself I count not strange,
Whatever works the human weal to change.
"Made of one blood, and each to each a part,"
Men are but one: and every human heart
Beats by a kindred stream, which bids it know,
It has to share, not shun, another's woe.
Men's interests therefore all as mine I own,
As their's and mine the one FOUNDATION STONE,
Their's too, and mine to see, one JUDGMENT THRONE.

having committed irregularities in the conduct of the war, and for writing disrespectfully concerning the head and representative of the Brazilian people. To those individuals the Writer would say, that he intends not to cover the misdoings of any: whether those charges in general are correct, he does not know; but this he knows, that if the Argentines have done wrong, their accusers will see them suffer for it, unless they can persuade them to avert the punishment by timely acknowledgment, and suitable reparation. That the Argentines should have written angrily concerning the conduct of the Brazilian Government, is no matter of surprize, since they have been severely hurt by it: that they should have written indecorously of the chief of that Government, is a matter of regret. Cases of censure passed upon estimable princes are, however, by no means uncommon; and they are not so inequitable as they are sometimes thought to be. The chiefs of nations, for the most part, do not refuse to take to themselves praise for the success which they mainly owe to the sagacity and prowess of their ministers and warriors: they have therefore no right to complain, if through agents of other qualities they receive censure which they have not personally deserved. The Emperor of Brazil has to hear through other ears, to see through other eyes, and to act by other hands: and if he has in this case heard through ears which have been deaf to the calls of reason and equity; if he has seen through eyes which have winked upon extortion and violence; if he has acted by hands which have wrested the public law to the public hurt, those who own his sway have no right to complain if the dishonour of these doings is brought upon his name. He has a ready way of proving that none of these misdeeds are his: he cannot indeed undo them; but he can let go the unlawful booty which has been obtained by them; and by thus acting, he will effectually put away this stigma of an oppressor from his title and from himself.

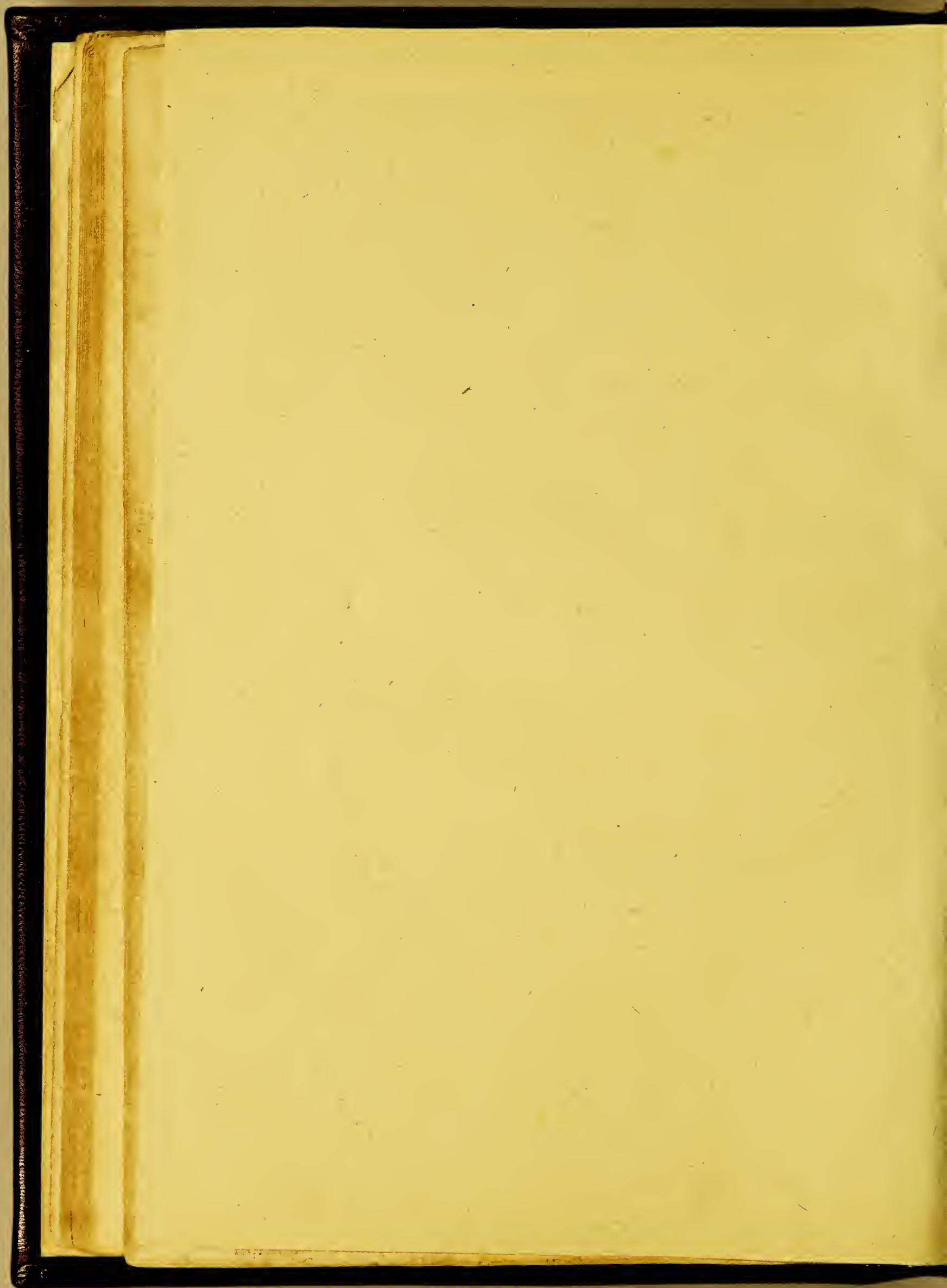
Moreover, the Writer may be permitted to say for himself, that he was not bound to notice any of those angry accusations and recriminations to which this contest, like every other similar dispute, must give rise; since he offered to discuss not the conduct of the war, but the causes of it. He believes himself to have shown that the Brazilians have no natural, social, or conventional right to occupy the Eastern Side, and to endeavour to annex it to their empire; and, therefore, he believes himself also to have a right to call upon every well-wisher of Brazilians and Argentines, to employ his good offices, in what way soever they can be used, to bring this most unreasonable quarrel to an end. In writing this paper, he has done what he could for this end: and although he knows, that as the cause has now been committed not to Him who judgeth righteously, but to the spirit which prompts to whet the sword, and to screw the flint into the musket, the question

appertaining to it will be settled after the trenchant manner of human decisions; yet he is willing to encourage the hope, that this effort of his may work some good for both parties. Some of the persons who have to do with this unhappy dispute, talk of it only to fill the atmosphere with words of anger, and to make fiercer the flame which has begun to consume both their kinsmen and their neighbours: if this writing shall serve to restrain one such speaker, and thus to check the issue of the spirit which renders difficult the return to peace, the Writer will thank God for the benefit, and account himself well requited for his labours.

James i. 17. Col. iii. 17. 1 Cor. x. 31.

June 1, 1826.

Messrs. ROYSTON have lately published a small Spanish Tract, which contains some interesting particulars relating to the general subject of these Considerations



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